

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ MAY 02 2016 ★  
LONG ISLAND OFFICE

-----X  
ERIC PRESINAT,

Plaintiff,

-----X  
- against -

TRMW ENTERPRISES INC., ET AL.,

Defendants.  
-----X

ORDER  
15-CV-5125 (JFB)(SIL)

JOSEPH F. BIANCO, District Judge:

The parties have submitted to the Court for approval a Settlement Agreement, which has been executed by both sides, resolving the instant litigation. It is well settled that judicially supervised settlements are an exception to the rule that employees cannot waive claims under the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201, *et seq.*, for unpaid wages and overtime. *See, e.g., Sampaio v. Boulder Rock Creek Developers, Inc.*, No. CV-07-153 (ETB), 2007 WL 520930, at \*1 (E.D.N.Y. Sept. 6, 2007) (collecting cases). Although the defendants contested the amount of overtime, the defendants have agreed to pay plaintiff 100% of the claimed overtime plus an additional amount in liquidated damages.

Having carefully reviewed the Settlement Agreement and written submission, the Court finds that it is fair and reasonable under all of the circumstances and, thus, is judicially approved.

SO ORDERED.

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JOSEPH F. BIANCO  
UNITED STATES DISTRICT JUDGE

Dated: May 2, 2016  
Central Islip, NY